

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

T-M VACUUM PRODUCTS, INC.,

PLAINTIFF

VS.

JOHN B. BERRY and wife,
PATRICIA P. BERRY,

DEFENDANTS

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CIVIL ACTION NO. 09-00095

JURY

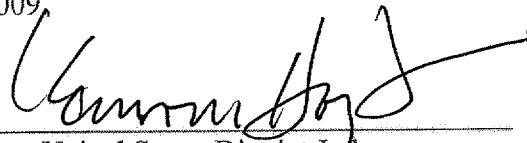
AGREED ORDER COMPELLING ATTENDANCE AT DEPOSITIONS

On this date came on for consideration Defendants' Motion to Compel Attendance at Depositions and to Award Sanctions. The parties announced an agreement resolving such motion and submitted this Agreed Order. Based upon the agreement of the parties, it is the opinion of the Court that the motion should be granted as provided herein.

IT IS, ACCORDINGLY, ORDERED that Defendants John B. Berry and wife, Patricia P. Berry, appear and give their depositions, at the offices of Plaintiff's attorneys, on Wednesday, November 18, 2009, commencing at 1:30 p.m.

IT IS, FURTHERMORE, ORDERED that Defendants John B. Berry and wife, Patricia P. Berry, pay to Plaintiff, as a sanction for their failure to appear and give their depositions when noticed, reasonable attorney's fees in the amount of \$750.00. Defendants shall deliver this payment to Plaintiff's counsel within seven (7) days after the day of this Order.


Signed this 29 day of October, 2009.



United States District Judge

AGREED:

/s/ H. Miles Cohn
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